

Docket No.: BGI-158US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Oskar Zelder *et al.*

Application No.: 10/579,690

Confirmation No.: 4903

Filed: May 18, 2006

Art Unit: N/A

For: METHODS FOR THE PREPARATION OF
LYSINE BY FERMENTATION OF
CORYNEBACTERIUM GLUTAMICUM

Examiner: Not Yet Assigned

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent,

publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. BGI-158US.

Dated: March 9, 2007

MLZ/MG/kmk

Respectfully submitted,

By 

Maria Laccotripe Zacharakis, Ph.D., J.D.

Registration No.: 56,266

LAHIVE & COCKFIELD, LLP

One Post Office Square

Boston, Massachusetts 02109-2127

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/579,690
				Filing Date	May 18, 2006
				First Named Inventor	Oskar ZELDER
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	BGI-158US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1	WO-01/07626-A2	02-01-2001	O'Donohue, Michael R. et al.		
	B2	EP-1108790-A2	06-20-2001	Kyowa Hakko Kogyo Co., Ltd. et al.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	C1	Dominguez, Hélène et al., "Carbon-flux distribution in the central metabolic pathways of <i>Corynebacterium glutamicum</i> during growth on fructose," <i>Eur. J. Biochem.</i> , Vol. 254:96-102 (1998)		
	C2	Kiefer, P. et al., "Influence of glucose, fructose and sucrose as carbon sources on kinetics and stoichiometry of lysine production by <i>Corynebacterium glutamicum</i> ," <i>Journal of Industrial Microbiology & Biotechnology</i> , Vol. 28:338-343 (2002)		
	C3	Kiefer, Patrick et al., "Comparative Metabolic Flux Analysis of Lysine-Producing <i>Corynebacterium glutamicum</i> Cultured on Glucose or Fructose," <i>Applied and Environmental Microbiology</i> , Vol. 70(1):229-239 (2004)		
	C4	Marx, Achim et al., "Metabolic phenotype of phosphoglucose isomerase mutants of <i>Corynebacterium glutamicum</i> ," <i>Journal of Biotechnology</i> , Vol. 104:185-197 (2003)		
	C5	Ohnishi, J. et al., "A novel methodology employing <i>Corynebacterium glutamicum</i> genome information to generate a new L-lysine-producing mutant," <i>Appl. Microbiol. Biotechnol.</i> , Vol. 58:217-223 (2002)		
	C6	Pfefferle, Walter et al., "Biotechnological Manufacture of Lysine," <i>Advances in Biochemical Engineering/Biotechnology</i> , Vol. 79:59-112 (2003)		
	C7	Rittman, Doris et al., "Fructose-1,6-bisphosphatase from <i>Corynebacterium glutamicum</i> : expression and deletion of the <i>fbp</i> gene and biochemical characterization of the enzyme," <i>Arch. Microbiol.</i> , Vol. 180:285-292 (2003)		
	C8	Sahm, Hermann et al., "Pathway Analysis and Metabolic Engineering in <i>Corynebacterium glutamicum</i> ," <i>Biol. Chem.</i> , Vol. 381:899-910 (2000)		
Examiner Signature				Date Considered

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/579,690
				Filing Date	May 18, 2006
				First Named Inventor	Oskar ZELDER
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	BGI-158US

	C9	Wittmann, Christoph et al., "Genealogy Profiling through Strain Improvement by Using Metabolic Network Analysis: Metabolic Flux Genealogy of Several Generations of Lysine-Producing Corynebacteria," <i>Applied and Environmental Microbiology</i> , Vol. 68(12):5843-5859 (2002)	
	C10	International Search Report for Application No. PCT/IB2004/004429, dated June 28, 2005.	
	C11	International Preliminary Report for Application No. PCT/IB2004/004429, dated March 17, 2006.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--